IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 24TH JANUARY 2007 / 4TH MAGHA 1928

Crl.MC.No. 197 of 2007()

AGAINST THE JUDGEMENT/ORDER IN BA.191/2007
CC.526/1992 of CHIEF JUDL.MAGISTRATE, ERNAKULAM

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PETITIONER:

P.RAVEENDRAN, NELLIPPILLIL KIZHAKKETHIL,
THAZHAVA P.O., KARUNAGAPPALLY, KOLLAM.

BY ADV. SRI.S.RAJEEV

RESPONDENTS:

STATE, REPRESENTED BY STANDING COUNSEL,
CENTRAL BUREAU OF INVESTIGATION,
(CRIME NO.39(S)/89 S.P.E. CBI., COCHIN)

BY SC FOR CBI SRI. S. SREEKUMAR

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 24/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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Crl.M.C.No. 197 of 2007

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Dated this the 24th day of January, 2007

O R D E R

The petitioner has come to this court aggrieved by the condition imposed by the learned Chief Judicial Magistrate that the petitioner must deposit cash security of Rs.15,000/- Another Bench of this Court as per order dt. 10.1.2007 in B.A.No. 191 of 2007 had directed that the petitioner be released on bail on condition of executing a bond for Rs.10,000/- and subject to such conditions, which the learned Magistrate may impose, to ensure the continued presence of the petitioner during trial. It is invoking that discretion which was given to the Magistrate that the present condition of deposit of Rs.15,000/- has been insisted. It is submitted that the matter stands posted for S.313 examination today. I am, in these circumstances, satisfied that at the fag end of the trial it is not necessary to insist on deposit of cash security from the petitioner.

2. The learned standing counsel for the C.B.I. opposes the application. Notwithstanding the opposition, I am satisfied that the condition need not be insisted.

3. This Crl.M.C. is hence allowed. The condition that the petitioner must deposit an amount of Rs.15,000/- is set aside. The petitioner must appear before the learned Magistrate on all dates of posting unless exempted by the learned Magistrate. He shall not leave the State of Kerala until further orders without the prior permission of the learned Chief Judicial Magistrate.

(R. BASANT)
Judge

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